

**STATE OF NEW MEXICO ENVIRONMENT DEPARTMENT
STORAGE TANK COMMITTEE MEETING
State Personnel Building
Leo Griego Auditorium
Santa Fe, NM 87505**

January 15, 2014 Minutes

The meeting of the Storage Tank Committee was called to order by Ms. Erika Schwender, Chair, at 10:17 a.m.

Members Present:

Erika Schwender, Chair
Ryan Briggs, STC Member
Benjamin Hodges, STC Member
Brent Neil, STC Member
Stephen McLin, STC Member

Jeff Scarbrough, STC Member Absent

Others:

Dana Bahar, NMED/PSTB
Lorena Goerger, NMED/PSTB
Kalvin Martin, NMED/PSTB
Antonette Cordova, NMED/PSTB
Delia Flores, NMED/PSTB
Suzan Arfman, NMED/PSTB
Tom Gray, NMED/PSTB
Joe Tracy, Intera
Ruben Baca, NMPMA
Tim Haller, HAI
Mike McVey, DBS & A
Steve Huddleson, Western Solutions
Albert Dye, LANAL
Leland Gould, NMPMA
Jonas Armenta, NMPMA

Item #1 ROLL CALL

Roll call was taken and it was determined that a quorum was present.

Item #2 APPROVAL OF THE AGENDA

The Chair called for a motion to approve the agenda. Mr. McLin moved to approve the agenda, and Mr. Neil seconded the motion. The agenda was passed unanimously.

Item #3 APPROVAL OF THE MINUTES

The Chair called for a motion to approve the October 2013 minutes. Mr. Neil moved to approve the minutes and Mr. McLin seconded the motion. The minutes were passed unanimously.

Item # 4 REMEDIAL ACTION SITES UPDATE

Ms. Lorena Goerger, Remedial Action Program Manager, reported on the *August, September, October & November* spreadsheets. Workplan approvals are summarized below by month.

August 2013

<u>Responsible Party</u>		<u>State Lead</u>	
46	\$824,869.70	5	\$728,963.95
<u>Addendums</u>		<u>Addendums</u>	
0	\$.0	0	\$.0
Total	\$824,869.70	Total	\$728,963.95
GRAND TOTAL	<u>\$1,553,833.65</u>		

Ms. Goerger highlighted the expenditures for corrective action at the Grants Triple Site-Cibola Chevron in Grants.

September 2013

<u>Responsible Party</u>		<u>State Lead</u>	
42	\$699,725.88	4	\$128,194.01
<u>Addendums</u>		<u>Addendums</u>	
0	\$.0	0	\$.0
Total	\$699,725.88	Total	\$128,194.01
GRAND TOTAL	<u>\$827,919.89</u>		

Ms. Goerger highlighted the expenditures for a non-aqueous phase liquid (NAPL) recovery and product recovery system at the Midway Chevron in Sapello.

October 2013

<u>Responsible Party</u>		<u>State Lead</u>	
35	\$651,050.92	7	\$123,930.54
<u>Addendums</u>		<u>Addendums</u>	
0	\$.0	0	\$.0
Total	\$651,050.92	Total	\$123,930.54
GRAND TOTAL	<u>\$774,981.46</u>		

Ms. Goerger highlighted the expenditures for a year of operation and maintenance of a remediation system at the Lea County Electric Cooperative, Lovington.

November 2013

<u>Responsible Party</u>		<u>State Lead</u>	
46	\$690,874.97	7	\$122,101.84
<u>Addendums</u>		<u>Addendums</u>	
0	\$.0	0	\$.0
Total	\$690,874.97	Total	\$122,101.84
GRAND TOTAL	<u>\$812,976.81</u>		

Ms. Goerger noted that the majority of the workplans approved this month were for ground water monitoring.

(The entire monthly reports are available at www.nmenv.state.nm.us/pstc.)

Item #5 CORRECTIVE ACTION FUND UPDATE

Ms. Delia Flores, the Acting Reimbursement Section Manager, presented the Corrective Action Fund Updates for the months of *August, September, October & November*.

August 2013:

Beginning Cash	\$11,978,969	Reserve	\$1,000,000
Loading Fee	\$1,887,547	Work plan liabilities	\$8,308,201
Payment	(\$1,061,076)	Un-obligated	\$2,795,322
Operating Transfer	(\$701,917)		
Ending Cash	\$12,103,523		

September 2013:

Beginning Cash	\$12,103,523	Reserve	\$1,000,000
Loading Fee	\$1,570,795	Work plan liabilities	\$7,944,305
Payment	(\$1,085,627)	Un-obligated	\$6,692,469
Settlement Deposit	\$3,750,000		
Operating Transfer	(\$701,917)		
Ending Cash	\$15,636,774		

Mr. Hodges requested clarification on the Settlement Deposit in September. Ms. Flores stated that this was from a settlement with Chevron related to claims made against the fund.

October 2013:

Beginning Cash	\$15,636,774	Reserve	\$1,000,000
Loading Fee	\$1,597,044	Work plan liabilities	\$7,669,139
Payment	(\$1,002,521)	Un-obligated	\$6,860,241
Operating Transfer	(\$701,916)		
Ending Cash	\$15,529,380		

November 2013:

Beginning Cash	\$15,529,380	Reserve	\$1,000,000
Loading Fee	\$1,464,723	Work plan liabilities	\$7,861,027
Payment	(\$577,128)	Un-obligated	\$6,852,854
Utilities	(\$1,177)		
Operating Transfer	(\$701,917)		
Ending Cash	\$15,713,882		

Mr. Briggs requested clarification on what the utilities payment was used for. Ms. Flores stated that the Program was paying utilities for a State Lead site.

Mr. Ruben Baca, a member of the public, requested that the Program continue to provide a breakdown of the distribution of the 30% percent of the CAF revenue that funds other programs in the Department. The Bureau agreed to do so.

Mr. Baca also asked if the Department expected additional funds from the settlement with Chevron. Ms. Bahar confirmed that the \$3.75 million was the total amount from the settlement that would be received.

A discussion ensued regarding the unobligated balance. Ms. Bahar noted that expenditures are consistent with the past few years at this time.

(The entire monthly reports are available at www.nmenv.state.nm.us/pstc.)

Item # 6 PREVENTION AND INSPECTION UPDATE

Mr. Calvin Martin, Manager of the Prevention Inspection Program, provided two handouts, Inspector Districts and Tank Facilities & Tanks per County. These can be viewed on the Bureau's webpage. Mr. Martin stated that one inspector resigned since the last meeting, leaving ten inspectors throughout the State and two vacant inspector positions.

Mr. Martin stated that each inspector has about 170 facilities and facilities are inspected on average every 12 to 18 months. There are a total of about 3,300 total facilities in the Program.

The Program reported a 65% compliance rate to EPA for UST facilities only.

Delivery Prohibition: The total number of facilities that are in the delivery prohibition process is 335 with a compliance rate of 61%.

Mr. Neil asked who would be the point of contact for the area of the resigned inspector. Mr. Martin stated that Joe Godwin out of the Las Cruces office would be the contact for those areas.

Mr. Ruben Baca, a member of the public asked if any facilities have been red tagged. Ms. Bahar responded that the Program currently has four facilities that have tanks that are red tagged and that the information on the specific facilities is available on the PSTB website.

A discussion followed about the delivery prohibition process.

Item # 7 TANK FEE AND CERTIFICATION PROGRAM UPDATE

Tank Fees: Ms. Antonette Cordova, the Tank Fees and Certification Program Manager, reported that invoices for FY14 tank fees were sent out to about 900 tank owners. Collection efforts began in mid-October and so far the Program has collected from 33%, with a 4% error, and 63% are outstanding. The Program did see a slight decrease in delinquent owners in FY13.

Certified Installers: The Program has identified three certified tank installers whose certification is due for renewal this year. The Program sent out reminder letters in December 2013. At this time only one individual has contacted the Program for renewal. A second courtesy letter will be sent to the remaining two individuals.

Operator Training: The Program has two approved operator training providers: an online provider and a classroom provider. These two providers have trained approximately 2,315 operators since January of 2010. There are 6 six classroom trainings scheduled for 2014.

Item # 8 OTHER BUISNESS

Ms. Suzan Arfman and Mr. Tom Gray presented the Committee and audience with a PowerPoint presentation on TankR (a.k.a. GoNM), a Geographic Information Systems Screening Tool for the Petroleum Storage Tank Bureau. A copy of the presentation is provided on the Bureau webpage with the Public Handouts.

Item # 9 NEXT MEETING

The next meeting is scheduled for May 14, 2014.

Item #10 ADJOURNMENT

Mr. McLin moved to adjourn the meeting. Mr. Briggs seconded the motion. The motion passed unanimously.

The meeting adjourned at approximately 11:32 a.m.